

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS**

**Cynthia L. Taylor,**

**Plaintiff,**

**v.**

**Case No. 08-2664-JWL**

**Michael J. Astrue, Commissioner of  
Social Security,**

**Defendant.**

**MEMORANDUM & ORDER**

Plaintiff Cynthia Taylor brought this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of the decision of defendant, the Commissioner of Social Security, to partially deny her application for disability insurance benefits under Title II of the Social Security Act. According to plaintiff, while the administrative law judge properly found that plaintiff was disabled, the ALJ's decision erroneously concluded that plaintiff's disability began in March 2007 rather than June 2004.

This matter is before the court on defendant's motion to reverse and remand the case to the Commissioner pursuant to sentence four of § 405(g) for further consideration of plaintiff's claim. Defendant further represents that, upon receipt of this court's order reversing and remanding the case, the Appeals Council will direct the ALJ to "further evaluate Plaintiff's mental impairment in accordance with the special technique described in 20 C.F.R. § 404.1520a(c) &(d), documenting application of the technique in the decision by providing

specific findings and appropriate rationale for each of the functional areas.” Plaintiff has responded to the motion and indicates that she does not contest the motion.

This case, then, is reversed and remanded pursuant to sentence four of § 405(g). Upon receiving this court’s order, the Appeals Council is directed to remand this case, with all deliberate speed, to the ALJ and to direct the ALJ “further evaluate Plaintiff’s mental impairment in accordance with the special technique described in 20 C.F.R. § 404.1520a(c) &(d), documenting application of the technique in the decision by providing specific findings and appropriate rationale for each of the functional areas.”

**IT IS THEREFORE ORDERED BY THE COURT THAT** defendant’s motion to reverse and remand and for entry of final judgment (doc. #7) is granted; the decision of the Commissioner is hereby reversed and the case is remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings as described in this opinion.

**IT IS SO ORDERED.**

Dated this 24<sup>th</sup> day of April, 2009, at Kansas City, Kansas.

s/ John W. Lungstrum

John W. Lungstrum  
United States District Judge